

Apr 23, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

TISSIEANN MARY MARCHAND,

Defendant.

No. 2:18-cr-00135-SMJ

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Before the Court is Magistrate Judge Rodgers's April 19, 2019 Report and Recommendation, ECF No. 81, recommending that the Court find Defendant's plea of guilty to be knowing, intelligent, and voluntary and not induced by fear, coercion, or ignorance. The parties do not object. ECF No. 85.

After reviewing the Report and Recommendation and relevant authorities, the Court finds that Judge Rodgers's findings are correct. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Report and Recommendation, **ECF No. 81**, is **ADOPTED** in its entirety.

1 **2.** The Court finds that Defendant's guilty plea to the lesser included
2 offense in the Indictment of Crime on an Indian Reservation, Assault
3 by Striking, Beating, or Wounding, in violation of 18 U.S.C.
4 §§ 113(a)(4) and 1153, is knowing, intelligent, and voluntary and is
5 not induced by fear, coercion, or ignorance. The Court finds this plea
6 is given with the knowledge of the charged crime, the essential
7 elements of the charged crime, the Government's evidence of the
8 charged crime, and the consequences of pleading guilty. The Court
9 further finds that the facts admitted to by Defendant in open court
10 constitute the essential elements of the crime charged.

11 **3.** Defendant's guilty plea to the lesser included offense of Crime on an
12 Indian Reservation, Assault by Striking, Beating, or Wounding is
13 **ACCEPTED.**

14 **4.** All pending motions are **DENIED AS MOOT.**

15 **5.** The trial date is **STRICKEN.**

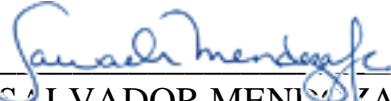
16 **6.** In the event an Order is entered permitting withdrawal of the guilty
17 plea, Speedy Trial Act time will be calculated consistent with 18
18 U.S.C. § 3161(i).

19 **7.** The parties are to abide by Judge Rodgers's Order Regarding Schedule
20 for Sentencing, ECF No. 82. Sentencing shall proceed on **July 16,**

1 **2019 at 10:00 AM in Spokane** before the undersigned judge.

2 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this order and
3 to provide copies to counsel, the U.S. Probation Office, the U.S. Marshals Service,
4 and Judge Rodgers.

5 **DATED** this 23rd day of April 2019.

6 
7 SALVADOR MENDEZ, JR.
 United States District Judge